

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

VANESSA JIMENEZ, individually and on  
behalf of all others similarly situated,

Plaintiff,

-against-

RPKG HOLDINGS, LLC,

Defendant.

1:23-cv-06559 (JLR)

**ORDER**

JENNIFER L. ROCHON, United States District Judge:

Plaintiff alleges that Defendant's website is not accessible to blind and visually impaired customers and, thus, violates Title III of the Americans with Disabilities Act ("ADA"), 42 U.S.C. § 12181 *et seq.* The parties report that they wish to proceed with an initial conference. ECF No. 9. By separate Order today, the Court is referring this case to the assigned Magistrate Judge for General Pretrial Purposes, including settlement.

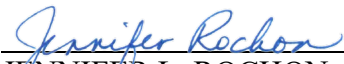
In addition, to conserve resources, to promote judicial efficiency, and in an effort to achieve a faster disposition of this matter, it is hereby ORDERED that the parties must discuss whether they are willing to consent, under 28 U.S.C. § 636(c), to conducting all further proceedings before the assigned Magistrate Judge. If both parties consent to proceed before the Magistrate Judge, they must, **by October 17, 2023**, submit to the Court a fully executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form, a copy of which is attached to the Order of Reference (and available at <https://nysd.uscourts.gov/forms/consent-proceed-us-magistrate-judge>). If the Court approves that form, all further proceedings will then be conducted before the Magistrate Judge rather than before this Court. Any appeal would be taken directly to the United States Court of Appeals for the Second Circuit, as it would be from this

Court if the consent form were not signed and so ordered. An information sheet on proceedings before magistrate judges is also attached to the Order of Reference.

If any party does not consent to conducting all further proceedings before the Magistrate Judge, the parties must file a joint letter, **by October 17, 2023**, advising the Court that the parties do not consent, **but without disclosing the identity of the party or parties who do not consent**. No adverse consequences will result from the withholding of that consent.

Dated: October 3, 2023  
New York, New York

SO ORDERED.

  
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JENNIFER L. ROCHON  
United States District Judge